CCRB INVESTIGATIVE RECOMMENDATION

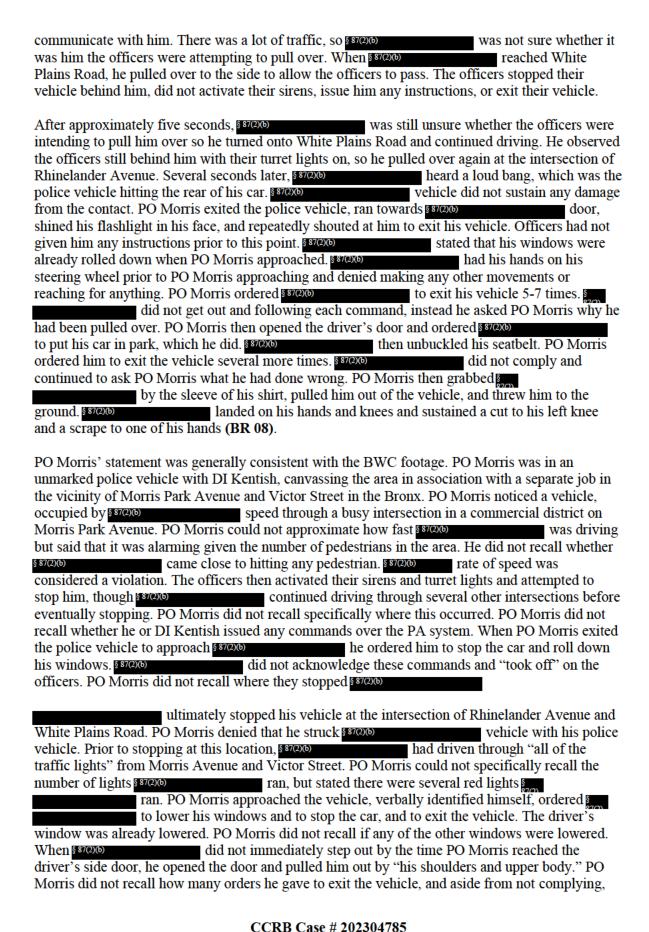
Investigator:		Team:	CCRB Case #:	Ī	Force	П	Discourt	П	U.S.
Ethan De Angelo		Squad #08	202304785	1	Abuse		O.L.		Injury
Ethan De Angelo		Squau #00	202304763		Abuse	ш	O.L.	Ш	injury
Incident Date(s)		Location of Incident:			18 N	Mo. So	OL	I	Precinct:
Friday, 05/26/2023 8:48 PM		White Plains Road and Avenue	Rhinelander		11/	26/20	24		49
Date/Time CV Reported		CV Reported At:	How CV Reported		Date/Tim	ne Reco	eived at CC	RB	
Sat, 05/27/2023 11:33 AM		CCRB	On-line website		Sat, 05/2	7/2023	11:33 AM	[
Complainant/Victim	Type	Home Addre	ess						
Witness(es)		Home Addre	ess						
Subject Officer(s)	Shield	TaxID	Command						
1. PO Shawn Morris	10616	955222	049 PCT						
2. DI Gareth Kentish	00000	944095	049 PCT						
Witness Officer(s)	Shield No	o Tax No	Cmd Name						
1. LT John Ruis	00000	916609	049 PCT						
2. PO Jeffry Reyes	20839	959924	049 PCT						
3. PO Patrick Nicewicz	22006	959843	049 PCT						
4. PO Stephen Brancatelli	00778	959506	049 PCT						
5. PO David Carlo	15174	965969	049 PCT						
6. PO Karla Cruz	29534	970470	049 PCT						
Officer(s)	Allegatio	n			Inv	estiga	ator Reco	nme	ndation
A . DI Gareth Kentish	Road and	n May 26, 2023, at the in Rhinelander Avenue in Gareth Kentish struck shiele.	n the Bronx, Deputy		ins				
B . PO Shawn Morris	Road and	n May 26, 2023, at the in Rhinelander Avenue in orris used physical force	n the Bronx, Police (
C . PO Shawn Morris	Plains Ro	n May 26, 2023, at the ad and Rhinelander Av hawn Morris frisked ⁸⁸⁷	enue in the Bronx, I		e				
D . PO Shawn Morris	Plains Ro	n May 26, 2023, at the and and Rhinelander Av hawn Morris searched	enue in the Bronx, I		e				
E . PO Shawn Morris	Plains Ro	n May 26, 2023, at the ad and Rhinelander Av hawn Morris searched t was an occupa	enue in the Bronx, I he vehicle in which	Polic					

Officer(s)	Allegation	Investigator Recommendation
F . PO Shawn Morris	Abuse: On May 26, 2023, at the intersection of White Plains Road and Rhinelander Avenue in the Bronx, Police Officer Shawn Morris provided a false official statement.	

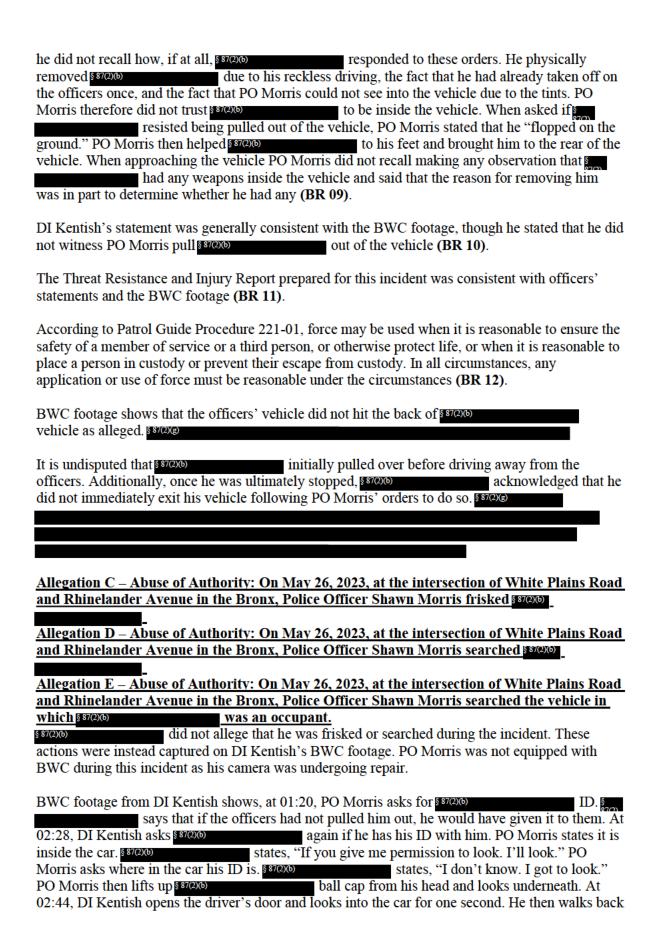
Case Summary On May 27, 2023, filed this complaint via the CCRB website. On May 26, 2023. On May 26, 2023, at 8:48PM, \$87(2)(6) was pulled over at the intersection of White Plains Road and Rhinelander Avenue in the Bronx by Police Officer Shawn Morris and Deputy Inspector Gareth Kentish of the 49th Precinct. DI Kentish allegedly hit the back of car with his police vehicle (Allegation A: Force, \$87(2)(g) PO Morris then pulled 8 8/(2)(0) out of his vehicle (Allegation B: Force, \$87(2)(2) PO Morris then frisked and searched \$37(2)(5) (Allegation C and D: Abuse of PO Morris searched § 87(2)(b) vehicle (Allegation E: Authority, § 87(2)(g) Later that same day, PO Morris provided a false official Abuse of Authority, \$87(2)(g) statement while preparing a Vehicle Report for the incident (Allegation F: Abuse of Authority, § 87(2)(g) was ultimately summonsed on scene for reckless driving. [5 87(2)(b)] [58 86(1) Body Worn Camera (BWC) was obtained from DI Kentish, Lieutenant John Ruis, PO Jeffry Reyes, PO Patrick Nicewicz, PO Stephen Brancatelli, PO David Carlo, and PO Carla Cruz. The footage can be found in IAs #83-86, 28 and is summarized in IA #29 (BR 02-07). Allegation A - Force: On May 26, 2023, at the intersection of White Plains Road and Rhinelander Avenue in the Bronx, Deputy Inspector Gareth Kentish Deputy struck with a vehicle. Allegation B - Force: On May 26, 2023, at the intersection of White Plains Road and Rhinelander Avenue in the Bronx, Police Officer Shawn Morris used physical force against BWC footage from DI Kentish shows, at 00:00, DI Kentish stops his police vehicle parallel to There is no contact between either of the vehicles. At 00:58, DI Kentish and PO Morris exit their vehicle. DI Kentish turns towards \$87(2)(6) vehicle and PO Morris can be seen at the driver's door. The door is already open. At 01:03, PO Morris can be seen leaning into the car through the driver's door and ordering Morris immediately pulls § 87 out of the car and onto the ground. The officers on his feet. DI Kentish then says, "What are you doing driving through the streets like that? You don't see us trying to stop you?" The officers handcuffed and escort him to the back of the car. DI Kentish asks [87(2)6) for his ID. § 87(2)(b) asks why he was pulled out of the car. DI Kentish says that was running "all" of the lights and the officers were trying to stop him, which

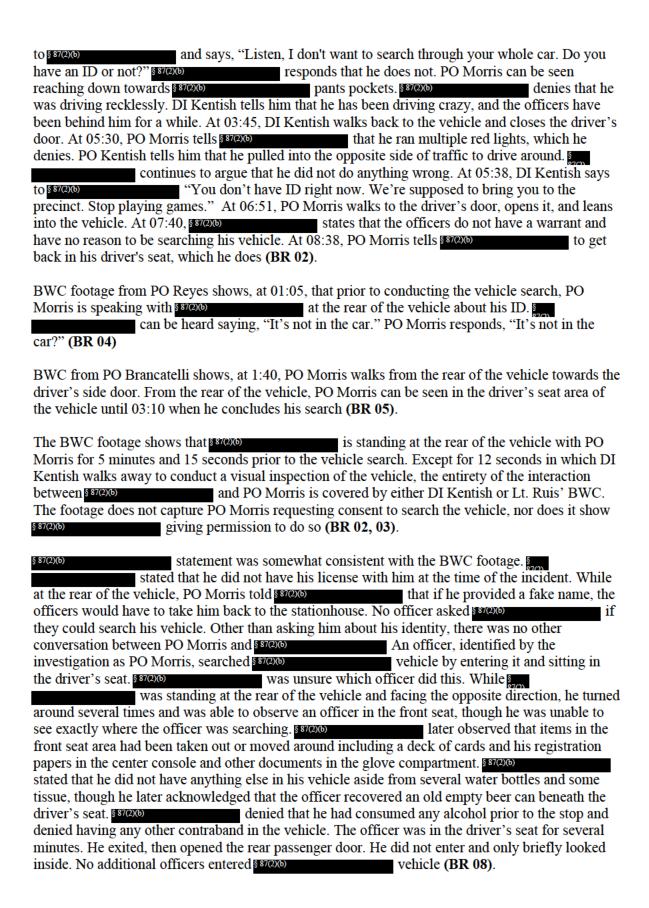
statement was inconsistent with the BWC footage. On May 11, 2023, at approximately 12:34 PM, was driving alone on Morris Park Avenue in his 2018 gray Toyota Camry heading towards White Plains Road in the Bronx. The vehicle is registered to There were no issues with the vehicle, and it was in good working order. When reached Victor Street, he attempted to make a left turn but saw that there were two marked police vehicles blocking the road. The road sedan behind him, which activated its lights. The officers did not activate their sirens or make any announcements over the PA System. Prior to this point, had not committed any traffic violations and denied that any of the officers blocking Victor Street attempted to

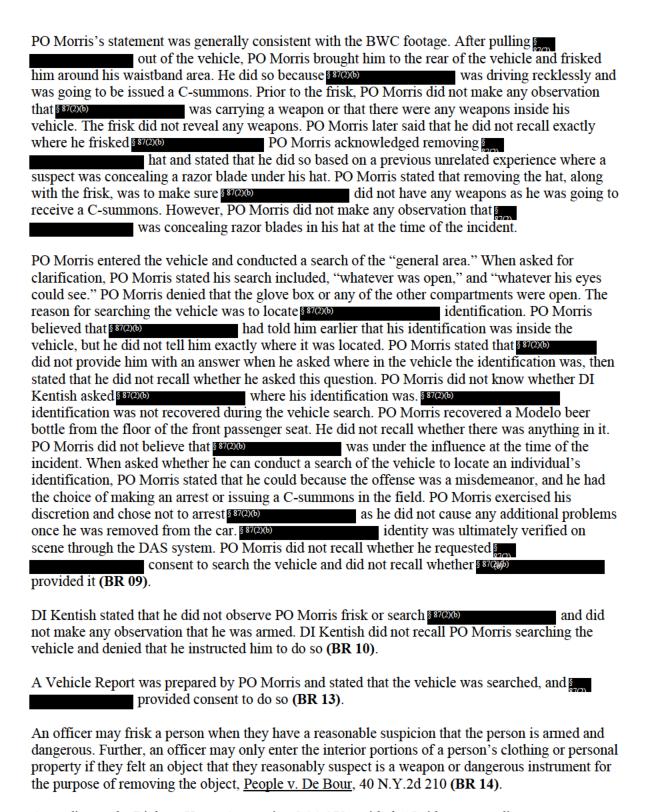
denies (BR 02).



CCRB CTS – Confidential Page 2







According to the Right to Know Act section § 14-173 entitled, "Guidance regarding consent searches," officers need to first obtain voluntary, knowing, and intelligent consent prior to the search of a person, or a person's vehicle, home, or property...when such search is not conducted pursuant to a warrant, any other exception to the warrant requirement under applicable law, or probable cause, or when such search is not incident to a lawful arrest...officers must use plain and

simple language delivered in a non-threatening manner, that the person who is the subject of the search is being asked to voluntarily, knowingly, and intelligently consent to such search, and explaining that such search will not be conducted if such person refuses to provide consent to such search (BR 15).

§ 87(2)(g)
the BWC footage show that the officers planned to make an arrest. §87(2)(2)
§ 87(2)(g)
However, BWC footage does not capture explicitly telling officers that his ID is in the vehicle, only that he is willing to look for it if officers allow him to do so. The footage shows that DI Kentish tells in front of PO Morris, that if cannot produce an ID, the officers should take him back to the stationhouse. BWC footage also shows that later in the interaction, stated that no officer asked him for consent to search his vehicle. Despite this, PO Morris proceeds to conduct a vehicle search, which lasts one minute and thirty seconds. Stated that no officer asked him for consent to search his vehicle. The Vehicle Report prepared by PO Morris states that consent was given to search the vehicle. However, BWC footage shows that PO Morris does not ask for consent to search the vehicle, nor does provide it. Furthermore, the footage shows that stated the search.
Allegation F – Abuse of Authority: On May 26, 2023, at the intersection of White Plains Road and Rhinelander Avenue in the Bronx, Police Officer Shawn Morris provided a false official
statement.
Prior to his interview PO Morris reviewed DI Kentish's BWC footage, which captures the interaction between himself and prior to the vehicle search. As previously stated, the BWC footage shows that some is standing with PO Morris for five minutes and 15 seconds prior to the vehicle search. Except for 12 seconds in which DI Kentish walks away to conduct a visual inspection of the vehicle, the entirety of the interaction between and PO Morris is covered by either DI Kentish or Lt. Ruis' BWC. After this 12-second lapse in coverage, DI Kentish returns to the rear of the vehicle, where second and PO Morris are discussing second in the video footage does PO Morris ask for consent to search the vehicle, nor does provide it (BR 02, 03).
PO Morris stated that he did not recall whether he asked for consent to search the vehicle and did not recall whether \$87000 provided it. PO Morris was shown the Vehicle Report he prepared, which notes that \$87000 vehicle was searched, and that consent was

to the vehicle so to whether \$87000 "whether he ga"	earch. When asked whether provided	r DI Kentish's BWC footage refrict consent to search the vehicle, Post it to me, or whatever the case is don't recall' (BR 09).	O Morris responded,
statement that a	member of service knows	se official statement is defined as to be untrue, which is material to in connection with which the stat	o the outcome of an
§ 87(2)(g)			
 PO Mo six add substan DI Ken one add This co As of N claim in 	the first CCRB complaint or the first CCRB complaint or the ris has been a member of itional CCRB complaints a tiated. The tish has been a member of ditional CCRB complaint a member of member of ditional CCRB complaint a member of mediation, mplaint was not suitable for the risk complaint of the risk complaint was not suitable for the risk complaint of the risk complain	service for 10 years and has been and 14 additional allegations, non service for 16 years and has been and one additional allegation, which civil, and Criminal Histories or mediation.	ne of which were In named as a subject in the characteristic char
This co	mplaint did not contain an	RPBP History y allegations of Racial Profiling/l	Bias-Based Policing.
Squad No.:	8		
Investigator:	Trevor Hackett	Inv. Trevor Hackett	11/29/2023
	Signature	Print Title & Name	Date
Squad Leader:	Ethan De Angelo	IM Ethan De Angelo	10/21/2024
	Signature	Print Title & Name	Date
Reviewer:			

Signature Print Title & Name Date